

REMARKS

This responds to the Office Action mailed January 18, 2001 in connection with the above-identified patent application. Prior to entry of this amendment, claims 1-14 were pending in the application. By this amendment, claim 3 has been canceled, and claims 1, 2 and 4 have been amended. Thus, following entry of this amendment, claims 1, 2 and 4-14 remain pending in the application.

35 U.S.C. § 112, Second Paragraph

The Examiner rejected claims 3 and 4 pursuant to § 112, second paragraph as being indefinite. Claim 3 has been canceled. Claim 4 has been amended to clarify the meaning of the limitation "both directions (K)" as requested by the Examiner. Support for this amendment is found at page 8, lines 1-5 of applicant's disclosure. All amended claims are submitted to be definite as required by § 112, second paragraph. Withdrawal of the rejection is respectfully requested.

35 U.S.C. § 103

Claims 1-14 stand rejected as being unpatentable over U.S. Patent No. 4,392,401 (Ess) in view of U.S. Patent No. 5,400,652 (Haar). The Examiner notes that Ess discloses (Fig. 8) a horizontal table 12, at least one movable device 15, a feed direction, a sawing device, a single lengthways cutting axis 10, rotation device (see Fig. 5), at least one pickup element 17, drive means and vertical direction (see col. 4, lines 4-8). The Examiner acknowledges that Ess does not show drive means to move the pickup element in a horizontal direction. In the Examiner's opinion, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to have modified the movable device of Ess by providing drive means to move the pickup element in the horizontal direction as taught by Haar.

Amended claim 1 defines patentably over the Examiner's proposed combination of Ess and Haar. In particular, claim 1 has been amended to recite subject matter formerly contained in claim 3 so that claim 1 now defines the applicant's panel sawing machine as including drive means 36 that move at least one pickup element in the horizontal direction "H" ***independently of the other pickup elements.*** } *plus missing*

No such structure is taught or suggested by Ess or Haar or the combination thereof. As a consequence, the device that would result from modifying the movable device of Ess with Haar's drive means to move the pickup element, as proposed by the Examiner, would still not result in a panel sawing machine as defined in amended claim 1 wherein at least one pickup element is movable independently of the other pickup elements in a horizontal direction.

Indeed, Haar teaches that the drive means is used to move *two* pickup elements ***in parallel for the purpose of positioning the panel with respect to the tools 12.*** In the Haar document, it is clear that the pickup elements 26 and 28 ***are placed at a predetermined and fixed distance with respect to each other*** on the sides of the panel. Therefore, the pickup elements are moved simultaneously by the drive means which maintain the predetermined distance between the pickup elements. ***In other words, the pickup elements 26 and 28 of Haar cannot be moved with respect to each other.***

Moreover, Haar teaches moving in a horizontal direction only the pickup elements 26, 28 that hold the sides of the panel, while the pickup elements 32, 34 that hold the rear edge of the panel are moved only in the feed direction 38. As a consequence, even if the disclosures of Ess and Haar are combined as proposed by the Examiner, the result would be drive means that move in parallel two pickup elements that hold the lateral edge of the panel, ***in such a way to move the panel in the horizontal direction during the sawing operation.*** It is important to note that, according to the Examiner's proposed combination, the pickup elements would be able to handle only panels having a dimension corresponding to the predetermined distance between the two pickup elements. Thus, according to the proposed Ess/Haar combination, ***the pickup elements can handle only panels in a limited range of sizes within the width of the machine.***

In contrast, the present invention as defined in claim 1 is able to handle panels of any size. Indeed, the drive means can move at least one pickup element independently of the others in order to place the independently movable pickup element anywhere along the movable device. In this way, the distance between the pickup elements is adaptable ***according to the dimension of the panel.*** Consequently, it is possible to fit the position of the pickup elements to ***any panel size*** within the width of the machine.

The prior art of record but not applied has been carefully considered. It is submitted to be less relevant than the Ess and Haar references discussed above.

In view of the foregoing amendments and remarks, amended claim 1 is respectfully submitted to be in condition of allowance. Claims 2 and 4-14 depend from claim 1 and should be allowable therewith. A formal Notice of Allowance is

requested at the earliest possible date.

Respectfully submitted,

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Encl. - Version with Markings to Show Changes Made

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Claim 3 has been canceled.

Claims 1, 2 and 4 have been amended as follows:

1. (Amended) A panel sawing machine comprising:
a horizontal table (5) to support at least one panel (30; 3a, 3b) to be cut;
at least one movable device (6; 6a) designed to push the panel along the table in a feed direction (F; F2) or in a direction (F1; F3) opposite to this, in such a way as to feed a sawing device (7; 7a) and/or a rotation device (R), said sawing device (7; 7a) being designed to cut the panel (30; 3a, 3b) into two or more smaller boards (31; 4a, 4b) in a direction at right angles to the feed direction (F; F2), the movable device (6; 6a) being equipped with [at least one] a plurality of pickup elements (16) mounted side by side that hold[s] the rear edge of the panel in position while it is being sawn, [the machine being characterized in that] at least one of the pickup elements (16) [is] being mounted on the movable device (6; 6a) in such a way that drive means (36) can move it independently of the other pickup elements (16) in a horizontal direction (H) at right angles to the feed direction (F; F2).

2. (Amended) The machine according to claim 1, characterized in that the pickup elements (16) slide[s] in a guide (15) that is integral with the movable device (6; 6a) and at right angles to the feed direction (F; F2).

4. (Amended) The machine according to claim 3, characterized in that at least one of the pickup elements[, the one labelled] (161) [,] is mounted on the movable device (6; 6a) in such a way that the drive means (38) can move it in two directions (K) corresponding respectively to the feed direction (F; F2) and the direction (F1; F3) opposite to the feed direction (F; F2) [in both directions (K) relative to the movable device itself].